

Message

From: MacNicholl, Peter@DTSC [Peter.MacNicholl@dtsc.ca.gov]
Sent: 10/19/2017 11:03:04 PM
To: Keller, Lynn [Keller.Lynn@epa.gov]; MacDonald, Alex@Waterboards [Alex.MacDonald@waterboards.ca.gov]
Subject: RE: Aerojet Area 40 Agency Meeting - PMs & Attorneys

Hi Lynn,

Since Isabella was cc'd on the original message I was going to let her speak on her own behalf. It would have been different if the message was addressed solely to me.

I don't think having another attorney present for Isabella would be best served as Isabella has the continuity from previous meeting & discussions that the other attorney would have to assimilate before the meeting. Plus she would have to be involved to make a final decision anyway.

I'll have to see if Isabella is willing to commit to reviewing the Purchase and Sale Agreement before she goes on vacation (Mind you she leaves on Monday). I will also check with our CEQA Rep. and see if he can attend. CEQA staff will have action items and pathway forward identified in a write-up for tomorrow. I will check with Isabella on attending a November 3rd conference call.

-Pete

From: Keller, Lynn [mailto:Keller.Lynn@epa.gov]
Sent: Thursday, October 19, 2017 9:15 AM
To: MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>; MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>
Subject: RE: Aerojet Area 40 Agency Meeting - PMs & Attorneys

Hi, Pete—no, we always go through each other to commit our attorneys to meetings with us. Is there another attorney from DTSC we can get to sit in for Isabella on the 25th? Can Isabella look over the Purchase & Sale agreement and give us comments so that the rest of us could discuss things on 25 Oct? We'd need a follow on meeting if no DTSC attorney is present but at least the rest of us could get on the same page.

Can your CEQA PM attend the meeting on the 25th, Pete? We can try to cover the public involvement component during the 25th.

Alex's attorney is unavailable next week. After Isabella gets back from vacation, the next time my attorney (Larry) and I are free is Fri, 3 Nov, anytime after 10:30 am. Does that work for both of you and your attorney's for a follow on meeting? I'd like to still meet on the 25th if possible to start the discussion though.

Lynn M. Keller, EI, PMP
US EPA Region 9 RPM
75 Hawthorne St, SFD 7-1
San Francisco, CA 94105
415.947.4162

From: MacNicholl, Peter@DTSC [mailto:Peter.MacNicholl@dtsc.ca.gov]
Sent: Thursday, October 19, 2017 8:21 AM
To: Keller, Lynn <Keller.Lynn@epa.gov>
Subject: RE: Aerojet Area 40 Agency Meeting - PMs & Attorneys

Im sorry Lynn I was only speaking on my behalf. I assumed Isabella could check her schedule and let you know indepently.

From: Keller, Lynn [<mailto:Keller.Lynn@epa.gov>]
Sent: Wednesday, October 18, 2017 4:47 PM
To: MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>
Subject: Fwd: Aerojet Area 40 Agency Meeting - PMs & Attorneys

Hi Pete-I thought you cleared this day with your attorney so we could schedule this? Can we please get another DTSC attorney to attend on this day so we can get this conversation going? We've already missed our deadline to have this discussion by mid Oct (as we all agreed to on 20 Sept) and AR keeps asking me and my management about it.
Thanks, Pete,
Lynn

Begin forwarded message:

From: "Alasti, Isabella@DTSC" <Isabella.Alasti@dtsc.ca.gov>
Date: October 18, 2017 at 16:36:08 PDT
To: "Keller, Lynn" <Keller.Lynn@epa.gov>
Cc: "MacDonald, Alex@Waterboards" <Alex.MacDonald@waterboards.ca.gov>, "MacNicholl, Peter@DTSC" <Peter.MacNicholl@dtsc.ca.gov>, "Bradfish, Larry" <Bradfish.Larry@epa.gov>, "David.Lancaster@Waterboards.ca.gov" <David.Lancaster@Waterboards.ca.gov>
Subject: Re: Aerojet Area 40 Agency Meeting - PMs & Attorneys

Sorry, but I'm on vacation from Oct 23 through the 31st. But I'm free Nov.

Sent from my iPhone

On Oct 18, 2017, at 2:43 PM, Keller, Lynn <Keller.Lynn@epa.gov> wrote:

Hi, everyone.

Thanks for making yourselves available to discuss Aerojet Area 40 as an agency team next Weds. We have a few items we need to discuss as a group in order to determine the path forward with regard to Area 40.

As you know, following the EPA RI/FS process, Aerojet has requested that EPA transfer Area 40 to the state for primary oversight of remedial design and remedial action activities. Aerojet intends to complete a RAP, the State intends to complete a CEQA document concurrently, and EPA plans to complete a mini-ROD (tiering off the RAP). The State then would have primary oversight of remedial design and remedial action work at Area 40, although EPA review and concurrence would still be required to complete the CERCLA process.

It would be good if the CEQA project manager from the State could also join us for the first agenda item; please invite him, Pete.

Tentative Meeting Agenda: Weds 25 Oct 2017, 1pm-3pm

- How to complete one unified public involvement component that satisfies CEQA, RAP, & Proposed Plan requirements
- Aerojet's proposed Purchase & Sale Agreement text (EPA edited version with Alex's comments attached) & Aerojet's request for agencies to determine future use as a park is acceptable
- Are all agencies still on board with transferring Area 40 to the State for primary oversight responsibilities? If so, discuss appropriate timeline.
- Area 40 Transfer Agreement from EPA to State: Required? All three agencies sign?

(please send other agenda items if needed; I'll send out a final agenda before next Weds afternoon)

Conference Bridge Call in number: 415-947-8200

Conference Number: 4159729251

Participant Access Code: 460580

Once you dial into the main conference bridge number 415-947-8200, you will need to enter the 10 digit conference number. At the next prompt, participants will press 2 and then enter the participant access code followed by the # sign.

Thank you,

Lynn

Lynn M. Keller, EI, PMP
US EPA Region 9 RPM
75 Hawthorne St, SFD 7-1
San Francisco, CA 94105
415.947.4162

<Aerojet Area40 Purchase-Sale draft text AMM edits 20Oct17.docx>

<meeting.ics>